

Exhibit I-1

“Informal, BP-8”

Response to Informal Resolution Form

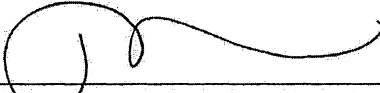
Inmate: **SCHULTE, Joshua**
Register Number: **79471-054**

This is in response to your March 6, 2019 Informal Resolution Form, in which you contend the security measures for SAM inmates should be different for those under SAM for violence than those under SAM for other reasons.

You are subject to the security measures in place for inmates on your housing unit. Many of the restrictions are in place for inmates housed in SHU generally.

If you are not satisfied with this response, you may address your grievance through the administrative remedy program.

3/20/2019
Date



Unit Manager

NYM 1330.7
ATTACHMENT 1

**METROPOLITAN CORRECTIONAL CENTER, NEW YORK
ADMINISTRATIVE REMEDY PROCEDURE FOR INMATES**

INFORMAL RESOLUTION FORM (BP-8)

NOTE TO INMATE: With the exception of sensitive issues and DHO appeals, you are advised that prior to receiving and filing a Request for Administrative Remedy Form BP229(13) (old BP-9), you **MUST** attempt to informally resolve your complaint through your correctional counselor. Additionally, in accordance with P.S. 1330.13, you have the responsibility to present complaints in good faith and in an honest and straightforward manner. Before completing this form, you should make every effort to honestly attempt to informally resolve this matter verbally with staff. Briefly state ONE complaint below and list what efforts you have made to resolve your complaint informally.

Date form issued and initials of Corr. Counselor: _____

INMATE'S COMMENTS:

1. Complaint: No Distinction between 28CFR 501.1 and 501.2: The vast majority (90%) of SAMs inmates are 501.1 inmates referred to SAMs due to Security concerns because of violence and/or terrorism. However, the AG placed me under 501.2 to protect national security from "disclosure of classified information". MCC makes no distinction between the two and imposes blanket restrictions to both. I am accused of non-violent, victimless crimes — the 3-man hold, full shackles, cuffs, etc. do not ensure the safety of national security and are unnecessary. 501.2 SAMs inmates should not be grouped with 501.1 inmates. Efforts made by you to informally resolve and burdened as if they were violent, Security threats.
2. On Tuesday 11/27 I sent a list of 35 unconstitutional issues that were reviewed by the warden. I was told the issues would be addressed, but none were.

3. Names of staff you contacted/Date you contacted the staff:

Prato, Warden 11/27/18

Date returned to Correctional Counselor: _____

Schultz, Joshua 79471854 3/6/19
Inmate's Name Register Number Date

CORRECTIONAL COUNSELOR'S COMMENTS

1. Efforts made to informally resolve and staff contacted: _____

Date informally resolved: _____ Counselor Signature: _____

Date BP-229(13) Issued: _____

Unit Manager: _____

Exhibit I-2

“MCC, BP-9”

RESPONSE TO REQUEST FOR ADMINISTRATIVE REMEDY - PART B

Inmate Name: **SCHULTE, Joshua**
Reg. No. **79471-054**
Administrative Remedy Id.: **974085-F1**

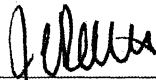
This is in response to your Request for Administrative Remedy dated March 28, 2019, wherein you allege you are subject to security measures unnecessarily, including 3 man holds, shackling, and cuffs. You make no specific request for relief.

An investigation reveals you are subject to the same measures implemented in the Special Housing Unit for inmates pending disciplinary hearings or protective custody. While some of your security measures are more restrictive than those in SHU, these measures are not in place to punish you. Rather, your security measures are necessary to implement your SAM, as well as to maintain the safety, security, and good order of the institution.

As you make no specific request for relief, this response is for informational purposes only.

If you are dissatisfied with this response, you may appeal to the Regional Director, Northeast Region, Federal Bureau of Prisons, Northeast Regional Office, U.S. Customs House - 7th Floor, 2nd & Chestnut Streets, Philadelphia, PA 19106, within 20 calendar days of the date of this response.

8/9/19
Date


J. Petrucci, Acting Warden

U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Schulte, Joshua A 79471054 105 MCC
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

No distinction between 28 CFR 501.1 and 501.2: The vast majority of SAMs inmates are 501.1 inmates referred to SAMs due to security concerns because of violence and/or terrorism. However, the AG placed me under 501.2 to protect national security from "disclosures of classified information". MCC makes no distinction between the two, but imposes blanket restrictions to both. I am accused of non-violent, victimless crimes — the 3-man hold, full shackles, cuffs, etc. do nothing for national security. The BP-B response that SAM inmates are SHU inmates confirms this violates the 5th amendment's due process clause. SHU inmates are inmates who violated prison rules and are punished — but SAMs cannot be used to punish.

3/20/19
DATE

[Signature]
SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: _____

CASE NUMBER: _____

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



Exhibit I-3

“Regional, NE”

RCUD 6/11

REJECTION NOTICE - ADMINISTRATIVE REMEDY

DATE: MAY 22, 2019

ebd

FROM: ADMINISTRATIVE REMEDY COORDINATOR
NORTHEAST REGIONAL OFFICE

TO : JOSHUA ADAM SCHULTE, 79471-054
NEW YORK MCC UNT: 9 QTR: Z07-304LAD
150 PARK ROW
NEW YORK, NY 10007

FOR THE REASONS LISTED BELOW, THIS REGIONAL APPEAL
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 974085-R1 REGIONAL APPEAL
DATE RECEIVED : MAY 15, 2019
SUBJECT 1 : ADMINISTRATIVE DETENTION CONDITIONS
SUBJECT 2 :
INCIDENT RPT NO:

REJECT REASON 1: ALL FOUR PAGES OF YOUR (BP-9) (BP-10) (BP-11) FORM MUST BE
LEGIBLE AND WORDED THE SAME. PHOTOCOPIES OF THE FORM WILL
NOT BE ACCEPTED.

REJECT REASON 2: SEE REMARKS.

REJECT REASON 3: YOU MAY RESUBMIT YOUR APPEAL IN PROPER FORM WITHIN
10 DAYS OF THE DATE OF THIS REJECTION NOTICE.

REMARKS : PAGES 2, 3, AND 4 OF THE BP10 ARE NOT LEGIBLE.

U.S. Department of Justice

Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: Schulze, Joshua A 74471054 105 MCC
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL Normalized restraints and equal treatment for SHU inmates: I did not receive a response to my BP-9 filed 3/28/19 and it has exceeded the 20-day time limitation. SHU inmates are inhumanely chained and handcuffed everywhere in stark contrast to other pretrial inmates. The MCC's BP-9 response simply stated that these restrictions are "general restrictions" in place for "all SHU inmates." The indiscriminate treatment of SHU inmates as SHU inmates results in impermissible punishment without due process. At MCC, the SHU refers to unit 9S, which is mostly used to house inmates who have violated prison rules or those accused thereof, waiting processing. Hence, placement on 9S is used as punishment after the completion of the DHO process. However, inmates placed on SHU are done so without due process and have no DHO or formal process to object and fight the decision. Therefore to treat SHU as punitive and punish pretrial inmates very clearly violates the 5th amendment's due process clause. Specifically in my case, I am placed on SHU to "protect against disclosures of national defense information." Handcuffing me to take me to recreation and attorney visits and chaining my ankles and utilizing waist chains does NOTHING to facilitate this goal. Therefore, this extra "security" is arbitrary and without cause. I must not be restrained anymore than other pretrial inmates when moving about the prison.

5/1/19
 DATE

for Schulze
 SIGNATURE OF REQUESTER

Part B - RESPONSE

Returned 6/1
 DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 97408521

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL




Exhibit I-4

“Central Office”

REJECTION NOTICE - ADMINISTRATIVE REMEDY




DATE: JULY 16, 2019



FROM: ADMINISTRATIVE REMEDY COORDINATOR
CENTRAL OFFICE

TO : JOSHUA ADAM SCHULTE, 79471-054
NEW YORK MCC UNT: 9 QTR: Z07-304LAD
150 PARK ROW
NEW YORK, NY 10007

FOR THE REASONS LISTED BELOW, THIS CENTRAL OFFICE APPEAL
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 974085-A1 CENTRAL OFFICE APPEAL
DATE RECEIVED : JUNE 20, 2019
SUBJECT 1 : ADMINISTRATIVE DETENTION CONDITIONS
SUBJECT 2 :
INCIDENT RPT NO:

REJECT REASON 1: YOU SUBMITTED YOUR REQUEST OR APPEAL TO THE
WRONG LEVEL. YOU SHOULD HAVE FILED AT THE
 REGIONAL OFFICE, 
OFFICE LEVEL. 

REJECT REASON 2: CONCUR WITH RATIONALE OF REGIONAL OFFICE 
FOR REJECTION. FOLLOW DIRECTIONS PROVIDED ON PRIOR REJECTION
NOTICES.



ATTENTION: * NO BALLPOINT PEN *

AS A SAMS INMATE HELD IN
SOLITARY CONFINEMENT, I HAVE
NO ACCESS TO A BALLPOINT PEN
OR PHOTOCOPIER

U.S. Department of Justice

Central Office Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From:

Schulter Joshua A

LAST NAME, FIRST, MIDDLE INITIAL

79471054

REG. NO.

105

UNIT

MCC

INSTITUTION

Part A - REASON FOR APPEAL

Normalized restraints and equal treatment for SAMS inmates. My BP-10 was denied because I don't have access to a ballpoint pen. Due to SAMS, I am denied access to buy pens in commissary and only given an ink cartridge. I cannot help this, I have made every good faith effort to resolve this, but the BOP has not. SAMS inmates are inhumanely chained and handcuffed everywhere in stark contrast to other pretrial inmates. The MCC's BP-8 response simply stated that these restrictions are general restrictions in place for all SAMS inmates. The inhumane treatment of SAMS inmates as SAMS inmates results in impermissible punishment without due process. At MCC, the SAMS refers to unit 95, which is mostly used to house inmates who have violated prison rules or those accused thereof, waiting processing. However, inmates placed on SAMS are done so without due process and have no DHO or formal processing to object and fight the decision. Therefore to treat SAMS as punitive and punish pretrial inmates very clearly violates the 5th amendment's due process clause. Specifically, in my case, I am placed on SAMS to protect against disclosures of national defense information. The extra security with cuffs do NOTHING to facilitate this goal. Therefore this extra security is arbitrary and without due process.

DATE

SIGNATURE OF REQUESTER

Part B - RESPONSE

RECEIVED

JUN 20 2019

Administrative Remedy Section
Federal Bureau of Prisons

DATE

GENERAL COUNSEL

ORIGINAL: RETURN TO INMATE

CASE NUMBER:

974085-A1

Part C - RECEIPT

CASE NUMBER:

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT:

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL



RCUD 6/11

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ebel

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U.S. Department of Justice

Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: Schiller, Tasha A 74471054 105 MCC
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A - REASON FOR APPEAL

Normalized restraints and equal treatment for SNM inmates. I did not receive response to my BP-1 filed 3/20/19 and it has exceeded the 20-day time limitation. SNM inmates are inhumanely crowded and handcuffed everywhere in stark contrast to other prison inmates. The MCC's BP-8 response simply stated that these restraints are general restrictions in place for all SNM inmates. The in discriminate treatment of SNM inmates as SNM inmates results in a permanent placement within the process. At MCC, the SNM refers to Unit 9S, which is mostly used to house inmates who have violated prison rules or those accused thereof, waiting processing. Hence, placement on 9S is used as punishment after the completion of the due process. However, inmates placed on 9S are done so without due process and have no right or formal process to object and fight the decision. Therefore to treat SNM as punitive and punish prison inmates very clearly violates the 5th amendments due process clause. Specifically in my case, I am placed on SNM to protect against disclosure of national defense information. Mandating me to take me to recreation and attorney visits and changing my policies of visiting with family does NOTHING to facilitate this goal. Therefore this extra security is arbitrary and without cause. I must not be restrained anymore than other prison inmates who are waiting about the prison.

DATE

SIGNATURE OF REQUESTER

Part B - RESPONSE

DATE RECEIVED
 FEDERAL BUREAU OF PRISONS
 REGIONAL OFFICE

MAY 15 2019

NERO-PHILADELPHIA

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

FIRST COPY: REGIONAL FILE COPY

CASE NUMBER: 97408521

Part C - RECEIPT

CASE NUMBER: _____

Return to: _____
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL